

## REMARKS

Claims 1-3, 8, 16, 18 and 21-27 are pending. Claims 16, 18 and 21-22 stand rejected.

### Amendments to the Specification

Applicants have amended the paragraph beginning at page 3, line 1 to insert the sequence identification number after each disclosed sequence. Support for the amendment to the paragraph beginning at page 3, line 1 can be found on page 6, lines 12 to 25 of the originally filed application. Applicants have amended the paragraph beginning at page 3, line 9 to insert the sequence identification number after the disclosed sequence. Support for the amendment to the paragraph beginning at page 3, line 9 can be found on page 7, lines 12 to 13 of the originally filed application. Applicants have amended the paragraph beginning at page 3, line 12 to insert the sequence identification number after each disclosed sequence. Support for the amendment to the paragraph beginning at page 3, line 12 can be found on page 7, lines 16 to 29 of the originally filed application. Applicants have amended Table 1 and its legend (*i.e.*, the paragraph beginning at page 17, line 1) to insert the sequence identification number after each disclosed sequence. Support for the amendments to Table 1 and its legend can be found on page 6, lines 12 to 25 and page 17, lines 1-30 of the specification.

### The Claim Amendments

Applicants have amended the claims to recite elected species SEQ ID NOs: 9, 12 and 15. Support for this amendment can be found throughout the specification. See, *e.g.*, originally filed claims 5 and 12; page 7, lines 13-17, lines 22-23 and lines 28-29 of the specification.

Applicants have amended claims 1-3, 8, 16, 18 and 21-27 to improve their form. Support for these amendments can be found throughout the specification. Support for the amendment to claim 8 can be found, for example, on page 2, lines 25-32 and page 3, lines 27-

29 of the specification. Support for the amendment to claim 16 can be found, for example on page 6, lines 8-11 of the specification. Support for the amendment of claim 24 can be found, for example, on page 15, lines 21-22 of the specification. Support the amendment of claim 25, can be found, for example, on page 3, lines 27-29 of the specification.

These amendments add no new matter. Their entry is requested.

#### Sequence Disclosure

The Office Action stated that the application does not comply with the requirements of 37 C.F.R. §§ 1.821-1.825 for the reasons set forth on the attached Notice To Comply With Requirements For Patent Applications Containing Nucleotide Sequence And/Or Amino Acid Sequence Disclosures. The Notice stated that SEQ ID NOs: should be inserted on page 3 and page 17 after each disclosed sequence. As discussed above, applicants have amended page 3 and Table 1 on page 17 to insert sequence identifiers.

Applicants have amended the Sequence Listing to add SEQ ID NO:16. SEQ ID NO:16 refers to a KGKG linker. Support for this amendment to the Sequence Listing can be found, for example, on page 17, line 2 of the specification. Applicants have also amended the Sequence Listing to add the amidation feature to SEQ ID NOs: 1-7 and 9-15. Support for this amendment can be found, for example, on page 6, lines 12-25 and page 7, lines 16-29 of the specification.

These amendments add no new matter. Their entry is requested.

#### Rejection under 35 U.S.C. § 112

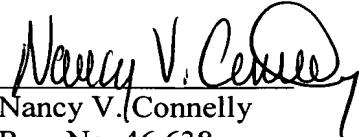
Claims 16, 18 and 21-22 have been rejected under 35 U.S.C. § 112, second paragraph, for allegedly being incomplete for omitting essential steps. Specifically, the Examiner states that the omitted steps are immobilizing the peptide onto a solid phase.

Applicants respectfully disagree. Support for methods that do not require immobilization of the peptide can be found in the specification, for example, at page 5, lines 17-20 wherein, the specification states that the ORIGEN electrochemiluminescence (ECL) detection system may be used to detect antiadenovirus antibodies. In the ECL system, an antigen, e.g., a peptide, is allowed to bind to a biotin-conjugated antibody to form an immune complex in solution, then is captured by a streptavidin-coated paramagnetic bead. Other methods of detecting antibodies using a peptide in solution are also known in the art. Therefore, immobilization of the peptide is not essential, and applicants respectfully requests withdrawal of the rejection of claims 16, 18 and 21-22 under 35 U.S.C. § 112, second paragraph.

#### CONCLUSION

Applicants request that the Examiner allow the pending claims and pass the application to issue. If the undersigned can be of assistance to the Examiner in addressing issues to advance the application to allowance, please contact the undersigned at the number set forth below.

Respectfully submitted,



Nancy V. Connelly  
Reg. No. 46,638

Schering-Plough Corporation  
Patent Department  
Mail Stop K-6-1, 1990  
2000 Galloping Hill Road  
Kenilworth, NJ 07033-0530

Phone: (908) 298-4107  
Fax: (908) 298-5388